

EXHIBIT 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANIBAL RODRIGUEZ, JULIEANNA)
MUNIZ, ELIZA CAMBAY, SAL) Case No.:
CATALDO, EMIR GOENAGA, JULIAN) 3:20-cv-04688
SANTIAGO, HAROLD NYANJOM, KELLIE)
NYANJOM, and SUSAN LYNN HARVEY,)
individually and on behalf of all)
others similarly situated,)
)
Plaintiffs,)
vs.)
)
GOOGLE LLC,)
)
Defendant.)
-----)

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY
REMOTE PROCEEDINGS OF THE
VIDEOTAPED DEPOSITION OF CHRISTOPHER RUEMMLER
FRIDAY, SEPTEMBER 9, 2022

REPORTED BY NANCY J. MARTIN
CSR. NO. 9042, RMR, RPR
PAGES 1-235

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- - -
Friday, September 9, 2022
- - -

Remote Videotaped Deposition of CHRISTOPHER
RUEMMLER, beginning at 9:40 a.m., before Nancy J.
Martin, a Registered Merit Reporter, Certified
Shorthand Reporter. All parties appeared remotely.

A P P E A R A N C E S :

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ALSO PRESENT:

JOHN JANHUNEN, GOOGLE IN-HOUSE COUNSEL

ANTHONY GALINO, LEGAL VIDEOGRAPHER

1 where WAA off data is stored?

2 A. No, I have not.

3 Q. Have you spoken with other Google employees
4 about how WAA off data is stored?

5 A. Probably. I can't name anybody in
6 particular.

7 Q. Do you see in the Exhibit 7 E-mail where you
8 wrote, "However, given the way on/off works, one has
9 to then assume that disabled, off, would be the exact
10 opposite of what is described for what happens when
11 the WAA bit is on"?

12 A. What part -- what page are we on?

13 Q. The first page, kind of square in the middle
14 of the page. The sentence begins with, "However."

15 A. "However, given the way on/off works." That
16 one?

17 Q. Yes.

18 A. Yeah. This was my misunderstanding that I
19 didn't know the data was saved anonymously even with
20 WAA off.

21 Q. When you wrote the word "one," what did you
22 mean by "one"?

23 A. Where is "one"?

24 Q. In the same sentence.

25 A. Okay. Someone? I mean, it's pretty vague.

1 I mean "one" is just a generic -- generalization, I'd
2 say.

3 Q. Were you referring to Google engineers?

4 A. It could have just been, you know, in
5 general, like anybody; right? One. You know,
6 someone. One. Like I said, this was like a
7 misunderstanding here. Like I didn't understand how
8 the WAA off actually worked back then.

9 Q. Prior to sending this E-mail, had you done
10 any work to try to better understand how WAA off
11 worked back then?

12 A. I'm not sure if I did particular work or not.
13 I asked a lot of questions, apparently, in these
14 E-mails. I was doing some work.

15 Q. And you had reviewed the WAA help page;
16 correct?

17 A. I had read the WAA help page, yes.

18 Q. Why would one assume that disabled, off,
19 would be the exact opposite of what is described for
20 what happens when the WAA bit is on?

21 A. Given my background in Workspace, where
22 everything is GAIA keyed, GAIA tied, if we had a
23 control and it was off, it would effectively not be
24 able to store data anywhere because we don't have any
25 use for the data otherwise; right? So that's my

1 document.)

2 BY MR. FRAWLEY:

3 Q. You wrote these two paragraphs; right? The
4 ones that begin, "So, it appears," and then the next
5 one, "The temp GAIA"?

6 A. Let me read them. Hold on.

7 (WHEREUPON the witness further the reviewed
8 document.)

9 THE WITNESS: Okay. What's the question?

10 BY MR. FRAWLEY:

11 Q. Did you write those two paragraphs?

12 A. Yes, I did.

13 Q. When you wrote, "It appears we have a real
14 problem here with accurately describing what happens
15 when WAA is disabled," by "we," you meant Google;
16 right?

17 A. I don't know if I meant Google exactly, but
18 Google or, you know, internal to, you know, our
19 employees or, you know, the Workspace team or, you
20 know, any of these.

21 Q. Were you focused on how internal Google
22 employees described WAA to each other, or were you
23 focused on how Google describes WAA to external users?

24 A. I was -- to be honest, I was probably focused
25 on external because I care quite a bit about the user;

1 right? I don't know for sure, but like, you know,
2 that wouldn't be surprising.

3 But, again, this is data that's my
4 misinterpretation of what was going on here. I
5 thought the data was GAIA tied. Right. If you're
6 seeing the data off of GAIA information and it's tied
7 to the user directly, that was my misunderstanding
8 here.

9 Q. I just want to clarify. Do you mean that at
10 this time you believe that all data that Google
11 collected is GAIA -- was GAIA tied?

12 MR. SANTACANA: Objection. Misstates prior
13 testimony. Compound.

14 THE WITNESS: I don't know what that -- what
15 you're referring to. You need to -- you said like
16 everything.

17 BY MR. FRAWLEY:

18 Q. Yeah, I mean everything. That's exactly what
19 I mean. Was your impression at this time that all the
20 data that Google collects from any sort of -- all the
21 data that Google collects, big picture, was it your
22 impression that all of that data was GAIA tied?

23 MR. SANTACANA: Objection. Misstates prior
24 testimony.

25 THE WITNESS: Yeah. I work in Workspace and

1 Q. No, no, no. "I for one didn't realize Google
2 actually stored all of My Activity."

3 A. Oh, further down. Okay. Hold on.

4 Q. Yeah.

5 A. Okay. Yeah. I read the whole rest of this
6 paragraph. This is all about me thinking the data is
7 GAIA tied because I make a comment down below about 60
8 days and then no better off and that all has to do
9 with GAIA-tied data. So I'm totally in the mindset
10 here that this data is GAIA tied.

11 Q. What does 60 days have to do with the data
12 being GAIA tied?

13 A. 60 days is temp, is usually a temporary
14 storage. For instance, what we consider like
15 temporary.

16 Q. Do you see the next paragraph where you
17 wrote, "The WAA and other controls imply we don't log
18 the data, but obviously we do"?

19 A. Yes.

20 Q. What did you mean by "log the data"?

21 A. I don't know what I meant by "log" back then.
22 Again, it's 2019. I got to read the whole paragraph
23 again.

24 (The witness reviewed the document.)

25 THE WITNESS: Again, this is my

1 misunderstanding about GAIA tied versus non-GAIA tied
2 and collecting anonymous data versus GAIA-tied data.

3 BY MR. FRAWLEY:

4 Q. So at the time you knew that Google was
5 collecting anonymous data?

6 A. I don't know from back here what I knew and
7 didn't know in terms of that. But there was obviously
8 some confusion in here on what was GAIA tied and what
9 wasn't GAIA tied.

10 Q. Was there also confusion about what was
11 collected and what wasn't collected?

12 A. I believe so at the time, yeah. I asked lots
13 of questions about things and what was collected and
14 what wasn't collected. But, again, I don't work on
15 the product. That's why I had to ask questions;
16 right? I don't work on the product. And, again, I'm
17 coming at this from a Workspace, you know, mindset,
18 Gmail mindset and trying to make sure Gmail's data is
19 handled properly.

20 Q. Did you say anywhere in this E-mail that you
21 were only concerned about Gmail data?

22 A. I have to read the whole thing.

23 (The witness reviewed the document.)

24 THE WITNESS: So far I haven't seen Gmail
25 anywhere, but that doesn't mean I wasn't concerned